

In the Senate of the United States,

July 25, 1996.

Resolved, That the bill from the House of Representatives (H.R. 3845) entitled “An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1997, and for other purposes”, do pass with the following

AMENDMENTS:

1 **(1)**Page 3, line 16, strike out all after “*Provided*,” down
2 to and including “*further*,” in line 18

3 **(2)**Page 4, line 25, strike out all after “years” over to
4 and including “expenses” in line 8 on page 5

5 **(3)**Page 5, after line 12 insert:

6 *(INCLUDING TRANSFER OF FUNDS)*

7 **(4)**Page 9, line 4, after “involved” insert: : *Provided fur-*
8 *ther, That in addition to the \$1,041,281,000 appropriated*
9 *under this heading, an additional \$651,000 shall be trans-*

1 *ferred from the Department of Public Works to the District*
 2 *of Columbia Court System for maintenance and repair of*
 3 *elevators/escalators, heating, ventilation, and air condi-*
 4 *tioning systems, fire alarms and security systems, materials*
 5 *and services for building maintenance and repair, and*
 6 *trash removal*

7 **(5)**Page 15, line 24, strike out **【\$46,923,000】** and insert:
 8 *\$75,923,000*

9 **(6)**Page 32, strike out lines 13 through 17 and insert:
 10 *SEC. 129. None of the Federal funds appropriated*
 11 *under this Act shall be expended for any abortion except*
 12 *where the life of the mother would be endangered if the fetus*
 13 *were carried to term or where the pregnancy is the result*
 14 *of an act of rape or incest.*

15 **(7)**Page 32, strike out all after line 18 over to and includ-
 16 ing line 5 on page 33 and insert:

17 *SEC. 130. No Federal funds made available pursuant*
 18 *to any provision of this Act shall be used to implement or*
 19 *enforce any system of registration of unmarried, cohabitat-*
 20 *ing couples whether they are homosexual, lesbian, or hetero-*
 21 *sexual, including but not limited to registration for the pur-*
 22 *pose of extending employment, health, or governmental ben-*
 23 *efits to such couples on the same basis that such benefits*
 24 *are extended to legally married couples; nor shall any Fed-*

1 *eral funds made available pursuant to any provision of this*
 2 *Act otherwise be used to implement or enforce D.C. Act 9–*
 3 *188, signed by the Mayor of the District of Columbia on*
 4 *April 15, 1992.*

5 **(8)**Page 33, line 24, after “Mayor,” insert: *the District*
 6 *of Columbia Financial Responsibility and Management As-*
 7 *sistance Authority,*

8 **(9)**Page 35, line 16, after “Mayor,” insert: *the District*
 9 *of Columbia Financial Responsibility and Management As-*
 10 *sistance Authority,*

11 **(10)**Page 45, strike out all after line 23 over to and in-
 12 cluding line 17 on page 48 and insert:

13 *ACCEPTANCE AND USE OF GRANTS*

14 *SEC. 141. (a) ACCEPTANCE AND USE OF GRANTS.—*

15 *(1) IN GENERAL.—The Mayor of the District of*
 16 *Columbia may accept, obligate, and expend Federal,*
 17 *private, and other grants received by the District gov-*
 18 *ernment that are not reflected in the amounts appro-*
 19 *priated in this Act.*

20 *(2) REQUIREMENT OF CHIEF FINANCIAL OFFICER*
 21 *REPORT AND FINANCIAL RESPONSIBILITY AND MAN-*
 22 *AGEMENT ASSISTANCE AUTHORITY APPROVAL.—No*
 23 *such Federal, private, or other grant may be accepted,*

1 *obligated, or expended pursuant to paragraph (1)*
2 *until—*

3 *(A) the Chief Financial Officer of the Dis-*
4 *trict submits to the District of Columbia Finan-*
5 *cial Responsibility and Management Assistance*
6 *Authority established by Public Law 104–8 (109*
7 *Stat. 97) a report setting forth detailed informa-*
8 *tion regarding such grant; and*

9 *(B) the District of Columbia Financial Re-*
10 *sponsibility and Management Assistance Author-*
11 *ity has reviewed and approved the acceptance,*
12 *obligation, and expenditure of such grant in ac-*
13 *cordance with review and approval procedures*
14 *consistent with the provisions of Public Law*
15 *104–8, the District of Columbia Financial Re-*
16 *sponsibility and Management Assistance Act of*
17 *1995.*

18 *(3) PROHIBITION ON SPENDING IN ANTICIPATION*
19 *OF APPROVAL OR RECEIPT.—No amount may be obli-*
20 *gated or expended from the general fund or other*
21 *funds of the District government in anticipation of*
22 *the approval or receipt of a grant under paragraph*
23 *(2)(B) or in anticipation of the approval or receipt*
24 *of a Federal, private, or other grant not subject to*
25 *such paragraph.*

(4) *MONTHLY REPORTS.*—The Chief Financial Officer of the District shall prepare a monthly report setting forth detailed information regarding all Federal, private, and other grants subject to this subsection. Each such report shall be submitted to the Council of the District of Columbia, and to the Committees on Appropriations of the House of Representatives and the Senate, not later than 15 days after the end of the month covered by the report.

10 **(11)**Page 48, strike out all after line 17 over to and in-
11 cluding line 17 on page 50 and insert:

12 CHIEF FINANCIAL OFFICER POWERS DURING CONTROL
13 PERIODS

SEC. 142. Notwithstanding any other provision of law,
during any control period in effect under subtitle A of title
II of the District of Columbia Financial Responsibility and
Management Assistance Act of 1995 the following shall
apply:

(a) the heads and all personnel of the following offices, together with all other District of Columbia accounting, budget, and financial management personnel, (except legislative and judicial personnel) shall be appointed by, shall serve at the pleasure of, and shall act under the direction and control of the Chief Financial Officer:

1 *The Office of the Treasurer.*

2 *The Controller of the District of Columbia.*

3 *The Office of the Budget.*

4 *The Office of Financial Information Serv-*
5 *ices.*

6 *The Department of Finance and Revenue.*

7 *The District of Columbia Financial Responsibility*
8 *and Management Assistance Authority established*
9 *pursuant to Public Law 104–8, approved April 17,*
10 *1995, may remove such individuals from office for*
11 *cause, after consultation with the Mayor and the*
12 *Chief Financial Officer.*

13 *(b) The Chief Financial Officer shall prepare*
14 *and submit to the Mayor, for inclusion in the annual*
15 *budget of the District of Columbia under part D of*
16 *title IV of the District of Columbia Self-Government*
17 *and Governmental Reorganization Act of 1973, ap-*
18 *proved December 24, 1973 (87 Stat. 774; Public Law*
19 *93–198), as amended, for each fiscal year occurring*
20 *during a control period in effect under subtitle A of*
21 *title II of the District of Columbia Financial Respon-*
22 *sibility and Management Assistance Act of 1995, an-*
23 *annual estimates of the expenditures and appropriations*
24 *necessary for the operation of the Office of the Chief*
25 *Financial Officer for the year. All such estimates*

1 *shall be forwarded by the Mayor to the Council of the*
 2 *District of Columbia for its action pursuant to sec-*
 3 *tions 446 and 603(c) of the District of Columbia Self-*
 4 *Government and Governmental Reorganization Act,*
 5 *Public Law 93–198, approved December 24, 1973,*
 6 *without revision but subject to recommendations. Not-*
 7 *withstanding any other provisions of the District of*
 8 *Columbia Self-Government and Governmental Reor-*
 9 *ganization Act, Public Law 93–198, approved Decem-*
 10 *ber 24, 1973, the Council may comment or make rec-*
 11 *ommendations concerning such estimates, but shall*
 12 *have no authority to revise such estimates.*

13 **(12)**Page 54, after line 8 insert:

14 *SEC. 147. Notwithstanding any other law, the District*
 15 *of Columbia Housing Finance Agency, established by sec-*
 16 *tion 210 of the District of Columbia Housing Finance*
 17 *Agency Act, effective March 3, 1979 (D.C. Law 2–135; D.C.*
 18 *Code, sec. 45–2111) shall not be required to repay moneys*
 19 *advanced by the District government (including accrued in-*
 20 *terest thereon) pursuant to Congressional appropriations*
 21 *for fiscal years 1980 through 1992.*

22 **(13)**Page 54, after line 8 insert:

23 *SEC. 148. Section 2561(b) of the District of Columbia*
 24 *School Reform Act of 1995 (Public Law 104–134) is amend-*
 25 *ed to read as follows:*

1 “(b) *LIMITATION.*—A waiver under subsection (a) shall
 2 not apply to requirements under 40 U.S.C. 267a–276a–7
 3 and Executive Order 11246.”

4 **(14)**Page 54, after line 8 insert:

5 *SEC. 149. ENERGY AND WATER SAVINGS AT DISTRICT*
 6 *OF COLUMBIA FACILITIES.*—

7 (a) *REDUCTION IN FACILITY ENERGY COSTS AND*
 8 *WATER CONSUMPTION.*—

9 *IN GENERAL.*—The Director of the District
 10 of Columbia Office of Energy shall, subject to the
 11 contract approval provisions of Public Law 104–
 12 8—

13 (A) develop a comprehensive plan to
 14 identify and accomplish energy conservation
 15 measures to achieve maximum cost-effective
 16 energy and water savings;

17 (B) enter into innovative financing
 18 and contractual mechanisms including, but
 19 not limited to utility demand-side manage-
 20 ment programs and energy savings perform-
 21 ance contracts and water conservation per-
 22 formance contracts: *Provided, That the*
 23 *terms of such contracts do not exceed twen-*
 24 *ty-five years; and*

1 (C) permit and encourage each depart-
2 ment or agency and other instrumentality
3 of the District of Columbia to participate in
4 programs conducted by any gas, electric or
5 water utility of the management of elec-
6 tricity or gas demand or for energy or
7 water and conservation.

Attest:

Secretary.

104TH CONGRESS
2^D SESSION

H. R. 3845

AMENDMENTS

HR 3845 EAS—2

HR 3845 EAS—3

HR 3845 EAS—4

HR 3845 EAS—5